

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

In re: PHARMACEUTICAL INDUSTRY )  
AVERAGE WHOLESALE PRICE ) MDL No. 1456  
LITIGATION ) Civil Action No. 01-12257-PBS  

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THIS DOCUMENT RELATES TO: )  
Subcategory No. 06-11337-PBS  
) Hon. Patti B. Saris  
*United States of America ex rel. Ven-a-Care of  
the Florida Keys, Inc. v. Abbott Laboratories,* )  
Civil Action No. 06-11337-PBS )

**JOINT NOTICE OF CONTINUANCE OF DAUBERT HEARING**

PLEASE TAKE NOTICE that the parties to the above-captioned case have conferred on dates for the continuance of the *Daubert* hearing of Dr. Mark G. Duggan. The Court had suggested two of the following three dates: January 22, 26, and 27. The best available dates for the parties are January 22, 2010 and January 26, 2010. Therefore, the parties request the Court continue the *Daubert* hearing of Dr. Duggan to January 22 and January 26. The parties understand the hearing will begin at 2:00 p.m. on both dates given the Court's schedule.

Respectfully submitted,

For the United States of America,

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Dated: December 16, 2009

## CERTIFICATE OF SERVICE

I hereby certify that I have this day caused an electronic copy of the above **JOINT NOTICE OF CONTINUANCE OF DAUBERT HEARING** to be served on all counsel of record via electronic service pursuant to Paragraph 11 of Case Management Order No. 2 by sending a copy to LexisNexis File & Serve for posting and notification to all parties.

/s/ Renée Brooker

Dated: December 16, 2009

Renée Brooker